

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

The Freedom From Religion
Foundation, *et al.*
Plaintiffs

v.

The United States Congress, *et al.*
Defendants

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Civil Action No. 07-cv-356-SM

ASSENTED-TO MOTION FOR EXTENSION OF TIME

The Hanover School District (HSD), the Dresden School District (DSD) and School Administrative Unit 70 (SAU 70) (together the School Districts) hereby move that the time for them to respond to the complaint be extended by 4 weeks to September 18, 2008 and that the follow up on Discovery Plan deadline of September 9, 2008 and the pretrial conference scheduled for September 12, 2008 be postponed at least 19 days (the number of days between the present due date for a response of August 21 and September 9, 2008). In support of the motion the School Districts set forth the following:

1. Under Rule 12(a)(4)(A) the School Districts are required to file a responsive pleading to the complaint within 10 business days of the Court's Order of August 7, 2008.
2. The School Districts are unable to decide on the appropriate responsive pleading in that length of time.

3. The boards of the HSD and DSD last focused on what their responsive pleading should be to the complaint in December of 2007 and never came to a final decision as to their responsive pleading before December 26, 2007 when the obligation to file a responsive pleading was stayed. (See document number 5)
4. There has been a significant change in the composition of the school boards of the School Districts since December of 2007 - 4 out of 7 members of the HSD board are new and 6 out of 12 members of the DSD board are new since December of 2007- and neither of those boards has addressed this case since then.
5. The HSD board has a regularly scheduled meeting on August 20, 2008, the DSD board has a regularly scheduled meeting on August 25, 2008, and the SAU 70 board has a regularly scheduled meeting on September 15, 2008.
6. It is impractical to expect the boards to decide on the appropriate responsive pleading at these meetings since further study and consultation with legal counsel will be required after these meetings.
7. SAU 70 does not own or operate any of the public schools in Hanover, New Hampshire. Those schools are owned and operated by HSD and DSD. SAU 70 provides superintendent services to HSD and DSD pursuant to RSA 194-C:4 and should be dropped as a party.
8. All parties should have sufficient time to prepare for a Discovery Plan and the pre-trial hearing after receipt of the School Districts' responsive pleading.
9. All parties and intervenors have assented to this motion.

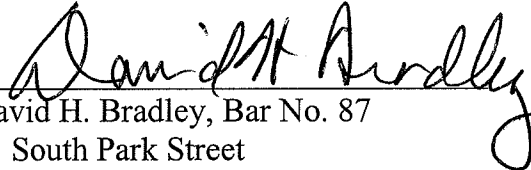
Respectfully submitted,

HANOVER SCHOOL DISTRICT,
DRESDEN SCHOOL DISTRICT, AND
SCHOOL ADMINISTRATIVE UNIT 70

By their attorneys,

STEBBINS, BRADLEY, HARVEY,
MILLER & BROOKS, PA

August 15, 2008

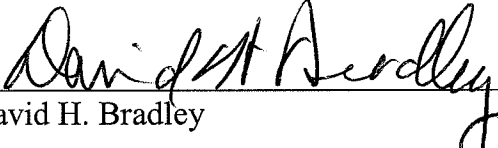


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Certification of Service

August 15, 2008

I hereby certify that a copy of the foregoing document was filed electronically and served electronically by operation of the Court's electronic filing system to all attorneys to be noticed.



David H. Bradley